

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Greenbelt Division)**

IN RE:)
RENE COOPER) Case No. 16-10792-LSS
Debtor.) Chapter 7
)
)

**MOTION FOR ORDER ABANDONING PROPERTY OF THE ESTATE
PURSUANT TO 11 U.S.C. § 554(a)**

COMES NOW Janet M. Nesse, Chapter 7 Trustee (“Trustee”) of the estate of Rene Cooper (“Debtor”), by and through counsel, McNamee Hosea, P.A., and pursuant to 11 U.S.C. § 554(a), submits this *Motion for Order Abandoning Property of the Estate* (“Motion”). In support of the Motion, the Trustee respectfully represents the following:

1. This case commenced on January 25, 2016 when the Debtor filed his voluntary petition under Chapter 13 of the United States Bankruptcy Code.
2. On May 18, 2016, the Debtor converted his case from Chapter 13 to Chapter 11.
3. On October 7, 2019, the Debtor’s case was converted from Chapter 11 to Chapter 7 due to the Debtor’s non-compliance with this Chapter 11.
4. Janet M. Nesse is the duly appointed and qualified Chapter 7 Trustee (“Trustee”) for the estate of the Debtor.
5. The Debtor owns three real properties located at: (a) 6006 Ladd Road, Suitland, MD 20746 (“Ladd Road”); (b) 810 Faraway Court, Bowie, MD 20721 (“Faraway Court”); and (c) 1413 Peartree Lane, Bowie, MD 20721 (“Peartree Lane”).

6. On August 10, 2020, a Consent Order Conditioning Automatic Stay with Respect to Real Property Located at 6006 Ladd Road, Suitland, MD 20746 was entered by the Court (“Ladd Road Consent Order”).

7. The Ladd Road Consent Order stated that the Trustee will have one-hundred twenty (120) after entry of the order to sell the Ladd Road property. If the property is not sold within 120 days, then Wilmington Savings Fund has the right to exercise its rights with respect to the property, including foreclosure and resale.

8. On May 17, 2021, Wilmington Savings Fund filed notice of termination under the consent order and the stay has been lifted.

9. The Trustee has further learned that the Peartree Lane property may not comply with the landlord tenant laws of the state of Maryland.

10. Since the stay upon the Ladd Road property has been lifted and the creditor has proceeding with non-bankruptcy and state law remedies, the Ladd Road property is a burden upon the estate.

11. Further, the landlord tenant issues with the Peartree Lane has rendered that property a burden upon the estate. There could be potential for litigation against the estate regarding the Peartree Lane property, and given its noncompliance with landlord tenant laws in the state of Maryland, there may be potential difficulties in selling the property.

12. The Trustee has determined that the real properties located at 6006 Ladd Road, Suitland, MD 20746 and 1413 Peartree Lane, Bowie, MD 20721 are a burden to the estate and, to minimize any further harm to the estate, seeks to abandon these two real properties.

WHEREFORE, the Trustee respectfully requests that the Court enter an Order:

- a. Authorize the Trustee to abandon the real property located at 6006 Ladd Road, Suitland, MD 20746;
- b. Authorize the Trustee to abandon the real property located at 1413 Peartree Lane, Bowie, MD 20721; and
- c. Granting such other and further relief as is just and proper.

Dated: July 26, 2021

Respectfully submitted,

/s/ Justin P. Fasano

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Counsel for the Chapter 7 Trustee

CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2021, a copy of the foregoing Motion for Order Abandoning Property of the Estate was served via first class mail, postage prepaid (or, where indicated in bold, by certified mail or e-mail), upon the following.

Office of the U.S. Trustee
6305 Ivy Lane
Greenbelt, MD 20770

Rene Cooper
1413 Peartree Lane
Bowie, Maryland 20721

Brett Weiss
The Weiss Law Group, LLC
6404 Ivy Lane, Suite 650
Greenbelt, MD 20770
brett@bankruptcylawmaryland.com

I further certify that on July 26, 2021, a copy of the foregoing Motion for Order Abandoning Property of the Estate was served via CM/ECF, upon the following.

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